

9/11/78 EASEMENT VACATION

McGary Addition

16/18

Mrs. Deekas

(925-5563)

will get filing
data for us -

Mr. Donald Skeldon
922-6143

filed with Henn Co.

9/20/78

G. E. SVEEGGEN
ATTORNEY AT LAW
1600 DAIN TOWER
MINNEAPOLIS, MINNESOTA 55402
—
TELEPHONE: (612) 339-3100

11 - 7 - 78

Dear Mr Hallberg

Would you please authenticate
and return the enclosed, or send me an
original certified copy?

Thank you very much.

G. E. Sveeggen

RESOLUTION VACATING EASEMENT
FOR UTILITY AND DRAINAGE PURPOSES

WHEREAS, a resolution of the City Council, adopted the 7th day of August, 1978, fixed a date for a public hearing on a proposed vacation of easement for utility and drainage purposes; and

WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 11th day of September, 1978, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said easement vacation be made; and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described portion of the utility and drainage easement be and is hereby vacated, effective as of September 12, 1978:

The West 5 feet of Lots 1, 2, 3 and 4, and the East 5 feet of Lot
5, all in Block 1, McGary Addition, Hennepin County, Minnesota

and that the Clerk is authorized and directed to cause a notice of completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the Register of Deeds, in accordance with Minnesota Statutes, Section 412.851.

ADOPTED this 11th day of September, 1978.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina, do hereby certify that the attached and foregoing resolution was duly adopted by the Edina City Council at its Regular Meeting of September 11, 1978, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this 16th day of November, 1978.

City Clerk

November 16, 1973

Mr. C. E. Svceggan
1600 Main Tower
Minneapolis, MN 55402

Dear Mr. Svceggan:

Enclosed herewith are two copies of Notice of Completion of Proceedings" and the Resolution Vacating Easement for Utility and Drainage Purposes for the West 5 feet of Lots 1, 2, 3 and 4, and the East 5 feet of Lot 5, all in Block 1, McGary Addition, Hennepin County, Minnesota.

I will expect to receive your check in the amount of \$2.00 by return mail.

Yours very truly,

City Clerk

enclosures (4)

NOTICE OF COMPLETION OF PROCEEDINGS
ON VACATION OF EASEMENT FOR UTILITY AND DRAINAGE PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on September 11, 1978, adopted a Resolution Vacating Easement for Utility and Drainage Purposes, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said easement vacation be made, which resolution ordered the vacation of the following described easement for utility and drainage purposes, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

The West 5 feet of Lots 1, 2, 3 and 4, and the East 5 feet of Lot 5, all in Block 1, McGary Addition, Hennepin County, Minnesota

The time of completion of proceedings and the effective date of said vacation is September 12, 1978.

City Clerk

Filed as document No 1294629

Sept 21, 1978

Register of Titles

NOTICE OF COMPLETION OF PROCEEDINGS
ON VACATION OF EASEMENT FOR UTILITY AND DRAINAGE PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

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Lot 5, all in Block 1, McGary Addition, Hennepin County,
Minnesota

The time of completion of proceedings and the effective date of said vacation is September 12, 1978.

City Clerk

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FOR UTILITY AND DRAINAGE PURPOSES

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WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 11th day of September, 1978, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said easement vacation be made; and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described portion of the utility and drainage easement be and is hereby vacated, effective as of September 12, 1978:

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and that the Clerk is authorized and directed to cause a notice of completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the Register of Deeds, in accordance with Minnesota Statutes, Section 412.851.

ADOPTED this 11th day of September, 1978.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina, do hereby certify that the attached and foregoing resolution was duly adopted by the Edina City Council at its Regular Meeting of September 11, 1978, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this 20th day of September, 1978.

City Clerk

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

MINNEGASCO by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

NORTHWESTERN BELL by *J. A. Reader* ☒ Acceptable ☐ Opposed ☐ Conditional
- Engineer
938-8711

N.S.P. by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

LOCATION _____

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT FOR UTILITY AND DRAINAGE PURPOSES

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street, on September 11, 1978, at 7:00 p.m. for the purpose of holding a public hearing on the proposed vacation of the following easement for utility and drainage purposes:

The West 5 feet of Lots 1, 2, 3 and 4, and the East 5 feet of Lot 5, all in Block 1, McGary Addition, Hennepin County, Minnesota

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
City Clerk

August 25, 1978

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

MINNEGASCO by W. M. Schram 8/21/78 ☒ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

NORTHWESTERN BELL by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

N.S.P. by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

LOCATION The West 5 feet of Lots 1, 2, 3 and 4, and the East 5 feet of Lot 5,
all in Block 1, McGary Addition, Hennepin County, Minnesota.

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

AFFIDAVIT OF POSTING NOTICE OF HEARING ON
VACATION OF EASEMENT(S) FOR PURPOSES OF

Utility and Drainage

The undersigned, being first duly sworn, upon oath deposes and says that he is the qualified and acting Police Patrolman for the City of Edina, Hennepin County, Minnesota, and that on Aug 18, 1978, he posted the notice of hearing on vacation of easement(s) to be held on _____, 19_____, a true and correct copy of which is hereto attached, at each of the following public and conspicuous places within the City in a manner likely to attract attention:
1. City Hall, 4801 W. 50th Street 2. 50th & France Business Area, 3922 W. 50th Street 3. Amundson Avenue Shopping Center.

Said easement(s) being described as follows:

Utility and drainage easement in the West 5 feet of Lots 1, 2, 3 and 4 and the East 5 feet of Lot 5, all in Block 1, McGary Addition, Hennepin County, Minnesota

Intersection - Vernon Ave &
Olinger Rd.
S W quadrant

R. W. Wisen
Police Patrolman

Subscribed and sworn to before me,
this 18 day of Aug, 19 78.

Francis B. Hallberg
Notary Public, Hennepin County, Minnesota
My commission expires:

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT FOR UTILITY AND DRAINAGE PURPOSES

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BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
City Clerk

August 25, 1978

1/1/74

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF EDINA)

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date Aug 25, 19 78, acting on behalf of said City I deposited in the United States mail copies of the attached

Notice of Easement Vacation
(Exhibit A), enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of a date _____ days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

<u>Name</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____

WITNESS my hand and the seal of said City this 18th
day of Aug, 19 78.

Flavence B. Hanning
Edina City Clerk

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

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BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
City Clerk

August 25, 1978

Notice of Public Hearing Sept 11, 1978
Easement Vacation

Mc Gary Addr.

Bel. L 1 Peter C. Deekas - 6710 Vernon Ave

2

3

4

5

N. S. P.

N. W. Bell

Merine gas co

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

MINNEGASCO by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

NORTHWESTERN BELL by _____ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

N.S.P. by RAB _____ ☒ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS _____

LOCATION _____

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

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Decker
BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
City Clerk

*So of
Vernon Rd*

W. of Chicago Rd

August 25, 1978

J.W. Quall

need 1/2 map or nearby streets

OK

*MOLLEN
8-24-78*



SUN NEWSPAPERS
AFFIDAVIT OF PUBLICATION
EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota } ss.
County of Hennepin }

J. R. RITCHAY, being duly sworn, on oath says he is and during all times here stated has been the vice president and printer of the newspaper known as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once each week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Bloomington in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer of said newspaper or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours and at which said newspaper is printed. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper is made available at single or subscription prices to any person, corporation, partnership or other unincorporated association requesting the newspaper and making the applicable payment. (8) Said newspaper has complied with all foregoing conditions for at least one year preceding the day or dates of publication mentioned below. (9) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the managing officer of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

He further states on oath that the printed Notice of Public Hearing hereto attached as a part hereof was cut from the columns of said newspaper, and was printed

and published therein in the English language, once each week, for One successive weeks;

that it was first so published on Wed the 23 day of August, 1978

and was thereafter printed and published on every _____ to and including

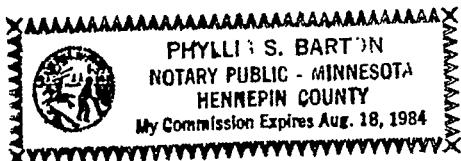
the _____ day of _____, 19____ and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz

J. R. Ritchay

Subscribed and sworn to before me this 23 day of August, 1978

Phyllis S. Barton



(Official Publication)
CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT
FOR UTILITY AND DRAINAGE
PURPOSES
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BY ORDER OF THE CITY COUNCIL
FLORENCE B. HALLBERG
City Clerk
August 23, 1978 - ED

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT FOR UTILITY AND DRAINAGE PURPOSES

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BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
City Clerk

Please publish in the Edina Sun on August ²³~~30~~, 1978.
Please send us one Affidavit of Publication.

DESCRIPTION OF UTILITY AND DRAINAGE EASEMENT TO BE VACATED

The West 5 feet of Lots 1, 2, 3, and 4, and the East 5 feet of Lot 5,
all in Block 1, McGary Addition, Hennepin County, Minnesota.